IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No. 3547 of 2007.

Sanjay Bhaguji Chaudhari & Ors. Applicants.

Vs.

The State of Maharashtra ..Respondent.

Mr Dilip Bodke, Advocate for the applicants.

Mr K. V. Saste, A.P.P. for the State.

CORAM: V.C. DAGA,J.

DATED: 1ST NOVEMBER, 2007.

P.C.:-

1. The learned counsel for the applicants submits that he does not want to press the application on behalf of the applicant Nos.1 to 3. Accordingly, the application moved by the applicant nos.1 to 3 is dismissed as "not pressed".

2. Heard learned counsel for the applicants and learned APP for the State.

3. Perused application and the material available on record.

4. The applicant Nos.4 and 5 are seeking bail in C.R. No. 82 of 2007 registered with Chandwad Police Station District Nashik for the offence punishable under Sections 304-B, 498-A read with Section 34 of the I.P.C.

5. The applicant Nos. 4 and 5 are

concerned, the applicant No. 4 is the mother in law of the deceased; whereas, applicant no.5 is sister-in-law. The applicant no. 5 has three children. In addition to this, she has to lookafter the sucking child of the deceased who is aged about three to four months. The applicant no. 4 is aged woman. Under these circumstances, considering the fact that both of them fall in the category of woman I am inclined to grant them bail.

6. The investigation is almost complete. statements of witnesses are recorded. There is no necessity to continue detention of the present applicant Nos. 4 and 5 in custody. I am inclined to grant bail to the applicant Nos. 4 and 5.

7. In the result, applicants Nos. 4 and 5 be enlarged on bail in C.R. No. 82 of 2007 registered under Sections 304-B and 498-A read with Section 34 of the I.P.C, on their executing personal bonds in the sum of Rs.10,000/-each with one sureties each in the like amount on following terms and conditions.

a) The above applicants shall report to concerned Police Station once in a week i.e. on every Monday between 3.00 to 5.00 p.m. till trial is over.

b) The order of bail will be given effect only after the applicants furnishing to the Investigating Officer the details about their place of residence and address where they proposes to stay after they are enlarged on bail.

c) The applicants shall not change their residential address till the conclusion of trial without prior written intimation to the Investigating Officer.

d] The applicants shall not, directly or indirectly, make any inducement or give threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

e] The applicants shall co-operate with the Investigating Agency in investigation.

f] Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

g] Breach of any of the above conditions

may result in cancellation of this order.

9. Application is disposed of in above terms.

(V.C. DAGA,J.)